

### Listing of Claims

This listing of claims replaces all prior versions, and listings, of claims in the application:

1. (Currently amended) A holder for a container in association with a seat, comprising:

~~means~~ a receptacle for holding the container near a front portion of the seat engaging the container at a level below an upper surface of the seat, the receptacle extending below the upper surface of the seat;

a strip extending from the ~~holding means~~ receptacle, and having a first portion extending upwardly from the receptacle and a second portion extending horizontally from the first portion and abutting the upper surface of the seat; and

~~means~~ a U-shaped member for engaging a rear portion of the seat preventing movement of the strip and holder in a direction towards the front portion of the seat and preventing vertical movement of the strip near the rear portion,

wherein the strip ~~and the holding means~~ are hinge coupled together about an axis

comprises a first length and a second length slidably joined together allowing for a length of the strip to be slidably adjusted.

2. (Currently amended) The holder as described in claim 1, wherein the ~~holding means~~ receptacle can rotate about the axis from a first position when the ~~holding means~~ receptacle is in an operational position and a second position when the ~~holding means~~ receptacle abuts an underside of the strip.

3. (Currently amended) The holder as described in claim 2, wherein the ~~holding means~~ receptacle has a sidewall that includes a tab projecting perpendicularly from the sidewall for engaging that engages a slot in the strip.

4. (Currently amended) The holder as described in claim 3, wherein the tab engages

the slot when the ~~holding means~~ receptacle is in the second position.

5. (Currently amended) The holder as described in claim ~~2~~ 1, wherein the strip first portion and the strip second portion are hinge coupled together about an axis for permitting the receptacle to rotate about the axis from a first position when the receptacle is in an operational position and a second position when the receptacle abuts an underside of the strip,

wherein the ~~holding means~~ receptacle comprises ÷ an engagement means for engaging the container; and

further comprising a flange spaced apart from the engagement means and the U-shaped member, the flange for preventing movement of the strip and ~~holding means~~ receptacle in a direction towards the rear portion of the seat, the flange consisting essentially of a single layer, and optionally a tab protruding perpendicularly from the flange for engaging an optional slot in the strip second portion.

6. (Currently amended) The holder as described in claim 5, wherein the flange includes a the tab that engages a and the slot in the strip.

7. (Previously presented) The holder as described in claim 6, wherein the tab engages the slot when the holding means is in the second position.

8. (Currently amended) The holder as described in claim 1, wherein the strip ~~comprises a first length and a second length slidably joined together allowing for a length of the strip to be slidably adjusted~~ first portion and the strip second portion are hinge coupled together about an axis.

9. (Previously presented) The holder as described in claim 8, further including a means for providing a friction contact between the first length and second length.

10. (Canceled)

11. (Currently amended) A holder for a container in association with a seat, comprising:

~~means~~ a receptacle for holding the container near a front portion of the seat engaging the container at a level below an upper surface of the seat;

a strip extending from the ~~holding means~~ receptacle and abutting the upper surface of the seat;

means for engaging a rear portion of the seat preventing movement of the strip and ~~holding means~~ receptacle in a direction towards the front of the seat and preventing vertical movement of the strip near the rear portion; and

a flange extending from the strip, and spaced apart from the engagement means and the U-shaped member, the flange for preventing movement of the strip and ~~holding means~~ receptacle in a direction towards the rear portion of the seat, the flange consisting essentially of a single layer, and optionally a tab.

12. (Currently amended) The holder as described in claim 8 11, wherein the strip comprises a first length and a second length slidably joined together allowing for a length of the strip to be ~~slidably~~ slidably adjusted.

13. (Currently amended) The holder as described in claim 9 11, further including a means for providing a friction contact between the first length and second length.

14. (Currently amended) The holder as described in claim 8 11, wherein the engaging means is a ~~u-shaped~~ U-shaped member engaging the rear portion of the seat.

15. (New) The holder as described in claim 1, wherein the strip first portion and the strip second portion are hinge coupled together about an axis for permitting the receptacle to rotate about the axis from a first position when the receptacle is in an operational position and a

second position when the receptacle abuts an underside of the strip.

16. (New) The holder as described in claim 1, wherein a hinge runs transversely along the strip first portion forming an axis for permitting the receptacle to rotate about the axis from a first position when the receptacle is in an operational position and a second position when the receptacle abuts an underside of the strip.

17. (New) A holder for a container in association with a seat, comprising:  
a receptacle for holding the container near a front portion of the seat engaging the container at a level below an upper surface of the seat, the receptacle extending below the upper surface of the seat;

a strip extending from the receptacle, and having a first portion extending upwardly from the receptacle and a second portion extending horizontally from the first portion and abutting the upper surface of the seat; and

a U-shaped member for engaging a rear portion of the seat preventing movement of the strip and holder in a direction towards the front portion of the seat and preventing vertical movement of the strip near the rear portion,

wherein a hinge runs transversely along the strip first portion forming an axis for permitting the receptacle to pivot about the axis to rotate about the axis from a first position when the receptacle is in an operational position and a second position when the receptacle abuts an underside of the strip.

18. (New) The holder as described in claim 17, wherein the strip first portion and the strip second portion are hinge coupled together about an axis for permitting the receptacle to rotate about the axis from the first position when the receptacle is in an operational position and the second position when the receptacle abuts an underside of the strip.